

September 30, 2002: Letter to Secretary Powell

FOR IMMEDIATE RELEASE

September 30, 2002
The Honorable Colin L. Powell
Secretary of State

United States Department of State

Washington, DC 20520

Dear Secretary Powell: As envisioned in the International Religious Freedom Act of 1998 (IRFA), the U.S. Commission on International Religious Freedom has reviewed evidence regarding particularly severe violations of religious freedom by countries whose governments have engaged in or tolerated such systematic, ongoing, and egregious violations of religious freedom. As a result, the Commission recommends that you identify the following 12 countries as countries of particular concern (CPCs): Burma (Myanmar), Democratic People's Republic of Korea (DPRK), India, Iran, Iraq, Laos, Pakistan, People's Republic of China, Saudi Arabia, Sudan, Turkmenistan, and Vietnam. In reaching these findings and recommendations, the Commission has reviewed violations of religious freedom engaged in or tolerated by diverse governments, gathering information from victims, religious groups, human rights and other private organizations, the U.S. government, and others. The Commission has also examined the State Department's Annual Report on International Religious Freedom - 2001 and its Country Reports on Human Rights Practices - 2001. In 1999 and again in 2000, the Secretary of State designated as CPCs Burma, China, Iran, Iraq, and Sudan, and you added North Korea to this group in 2001. The Commission recommends that each of these designations as CPCs be maintained. The governments of these countries continue to commit particularly severe violations of religious freedom as defined in IRFA and have not taken substantial and verifiable steps to halt such violations. Indeed, in China, particularly severe violations have actually increased in the past year. The Chinese government has intensified its violent campaign of repression against Evangelical Christians, Roman Catholics, Uighur Muslims, Tibetan Buddhists, and groups, such as the Falun Gong, that have been labeled as "evil cults." This campaign has included imprisonment, torture, and other forms of ill treatment. In addition to the six countries previously designated by you as CPCs, the Commission finds that the governments of India, Pakistan, Saudi Arabia, Turkmenistan, Vietnam, and Laos have engaged in or tolerated particularly severe violations of religious freedom, and recommends that they be designated as CPCs this year. For the past two years, the Commission has expressed concern about the severe violence against religious minorities, including Christians, Muslims, and others, tolerated by the government of India, and a pattern of failure to bring persons responsible for violent incidents to account. In recent years, Christians have suffered attacks that have included the killing of religious leaders, the rape of nuns, and the desecration of church property. In February-April 2002 in the state of Gujarat, after 58 Hindus were killed on a train in Godhra, at least 1,000 Muslims were killed and more than 100,000 forced to flee their homes as a result of violence by Hindu mobs. India's National Human Rights Commission found substantial evidence of premeditation by members of Hindu extremist groups; complicity by Gujarat state government officials; and police inaction in the face of these violent attacks on Muslims, in which many persons were shot, stabbed, raped, mutilated, and/or burned to death. Christians, too, were victims in Gujarat; many churches were destroyed. Although the Gujarat state government did take some steps to prevent further violence, it has failed thus far to hold key perpetrators accountable for their actions in the killings and related violence. Despite constitutional provisions and precedent enabling the Indian federal government to intercede and impose direct administrative control in Gujarat, it did not take such preventive action. Many thousands remain as internally displaced persons, either in camps or elsewhere, without homes, employment, or businesses to return to. India's Election Commission, in calling for a postponement of proposed balloting in Gujarat and for the federal government to impose presidential rule, concluded that "fear ... is still a palpable reality" with the riot-victims "fearing risk to their life and property." The Commission has also previously expressed great concern about the failure of the government of Pakistan adequately to protect religious minorities from sectarian violence. It has cited discriminatory religious legislation, including the blasphemy and anti-Ahmadi laws, as helping to create an atmosphere of religious intolerance that contributes to acts of sectarian and religiously-motivated violence. Anti-Ahmadi legislation and regulations effectively criminalize many Ahmadi religious practices and deny Ahmadis their full rights as citizens. Attacks against members of the Shi'ite minority by organized groups of Sunni militants continue. Blasphemy charges, often false, result in lengthy detention and sometimes violence, including fatal attacks, against religious minority members (including Christians, Ahmadis, and Hindus) as well as Muslims on account of their religious beliefs. The negative impact of the blasphemy laws is further compounded by the blatant lack of due process and evidentiary standards that are involved in the procedures. This year, there has been an upsurge in attacks targeting Pakistan's Christian minority and their churches, schools, and a missionary hospital. Although the Pakistani government did take some steps, it has not brought to justice those responsible for these recent attacks, which have killed at least 25 persons. The Commission has also concluded that despite the proposed Madrassa reform law, too many of Pakistan's Islamic religious schools continue to provide ideological training and motivation to those who go on to fight in Afghanistan and Kashmir, and who take part in violence targeting religious minorities in Pakistan. American journalist Daniel Pearl was forced to "confess" his religion as Jewish before being beheaded on a training video by Islamic extremists. As noted in past years by the State Department, religious freedom "does not exist" in Saudi Arabia. The government vigorously enforces prohibitions against all forms of public religious expression other than that of the government's interpretation and presentation of the Hanbali school of Sunni Islam. Large communities of Christians and other non-Muslims as well as Muslims from a variety of different doctrinal schools of Islam reside in Saudi Arabia. Last year, numerous foreign Christian workers were detained, arrested, tortured, and subsequently deported. Shi'a (including Ismaili) clerics and religious scholars continue to be detained and imprisoned for their religious views, which differ from those of the government. The particularly severe, ongoing, and egregious violations of religious freedom by the

government of Saudi Arabia include torture and cruel and degrading treatment or punishment imposed by both judicial and administrative authorities; prolonged detention without charges (and often incommunicado); and flagrant denials of the right to liberty and security of the person, including coercive measures directed against women and the extended jurisdiction of the religious police, whose powers are vaguely defined and exercised in ways that violate the religious freedom of others. The Commission continues the recommendation made last year that the U.S. government extend CPC status to Turkmenistan, where the government severely restricts religious activity other than that engaged in by the government-sanctioned Sunni Muslim Board and the Russian Orthodox Church. Members of unrecognized religious communities-including Baha'is, Baptists, Hare Krishnas, Jehovah's Witnesses, Muslims operating independently of the Sunni Muslim Board, Pentecostals, and Seventh-day Adventists-have reportedly been arrested, detained (with allegations of torture and other ill-treatment), imprisoned, deported, harassed, and fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed. There has been no indication of any significant improvement in the religious freedom situation there during the past year. Since Congress ratified the U.S.-Vietnam Bilateral Trade Agreement (BTA) in September 2001, respect for religious freedom in Vietnam remains poor, as the Vietnamese government continues its repressive policies toward all religions and their followers. A Commission delegation that visited Vietnam in March 2002 found that religious dissidents remain under house arrest or are imprisoned, including Father Thaddeus Nguyen Van Ly, who was detained after he submitted testimony to the Commission last year. In addition, government officials continue to suppress organized religious activities and to harass leaders and followers of unregistered religious organizations, particularly unregistered Protestant fellowships and other religious minorities, as well as clergy members of officially recognized religious groups, including Catholics and Buddhists who endure government interference in their activities. Finally, the Commission continues its recommendation that Laos be designated a CPC. Government officials in Laos continue to arrest, detain (at times for months), and imprison members of minority religions on account of their faith. In some instances, officials attempted to force Christians to renounce their faith. However, a Commission delegation visited Laos in March 2002 and noted a number of new developments. Specifically, the Lao government has begun to take steps that, if continued, could lead to improved protection of religious freedom, including a new decree that would establish a legal basis for religious activities and the equality of all religions. It remains to be seen if the implementation of the new decree, promulgated in July 2002, will reduce severe violations of religious freedom. If that becomes the case, the Commission might during the year ahead revisit its recommendation on CPC designation. The Commission also is very concerned about the nature and extent of violations of religious freedom engaged in or tolerated by the governments of Egypt, Indonesia, Nigeria, and Uzbekistan. The Commission has expressed concern about the grave violations (which include killings, torture, detention, and imprisonment) in these countries in its reports over the last two years. Because the governments of these countries have not taken effective steps to halt repression and/or violence against religious believers, nor, in most cases, to punish those responsible for severe violations of religious freedom, the Commission has determined to place them on a new "Watch List." The Commission will continue throughout the coming months and year ahead to consider whether countries on this Watch List meet the statutory criteria for designation as CPCs, and the continued failure on the part of governments to address effectively these violations will be a critical component of those decisions. The Commission urges the State Department to monitor closely religious freedom in these countries during the upcoming year and to respond vigorously to further violations there that may merit CPC designation later in the year. In the course of its interaction with these countries, the U.S. government should also urge the governments of these countries to take steps to prevent further violations and to ensure accountability for those responsible for past violations. IRFA sets forth that the policy of the United States is to oppose particularly severe violations of religious freedom. The designation of CPCs and actions taken in response to such designations are among the most significant responsibilities conferred under IRFA. Thank you.

Respectfully yours,
Felice Gaer Signature
Felice D. Gaer

Chair Attachments: One-page summaries of religious freedom developments in Burma (Myanmar), Democratic People's Republic of Korea (DPRK), India, Iran, Iraq, Laos, Pakistan, People's Republic of China, Saudi Arabia, Sudan, Turkmenistan, and Vietnam. Footnote: Commissioners Gaer and Young state: "Although we are appalled by the violence against Muslims that took place in Gujarat this year, we respectfully dissent from the decision to recommend that India be named a CPC. India is a respected democracy with a judiciary, which is independent, albeit slow-moving and frequently unresponsive, and can work to hold the perpetrators responsible; many vigorous, independent non-governmental human rights organizations that have investigated and published extensive reports about the government's handling of the situation; and a free press that has widely reported on and strongly criticized the situation on the ground in Gujarat. Moreover, the worst levels of violence were contained in a short time period relative to other similar outbreaks in the past and were confined to the state of Gujarat, not spreading to other states, largely because of the actions of Indian officials. Thus we do not agree that in the case of India as a whole, it can be said that 'systematic, ongoing, egregious violations of religious freedom' have been 'engaged in or tolerated' by the Indian government to an extent to warrant CPC status." Commissioners Sadat and Tahir-Kheli state: "We respectfully dissent from the Commission's decision not to recommend that Uzbekistan be designated a country of particular concern, as, in our view, the violations of religious freedom in that country are particularly serious, and have been systematic, egregious and ongoing."

Felice D. Gaer, Chair

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